Convention on the Conservation of Migratory Species of Wild Animals

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FIFTH MEETING OF THE
CONFERENCE OF THE PARTIES

Geneva, 10-16 April 1997

DRAFT RECOMMENDATION 5.2

COOPERATIVE ACTIONS FOR APPENDIX II SPECIES

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,

Noting that there are species or populations of species listed in Appendix II, which have a very unfavourable conservation status and which require urgent cooperation at the international level for their conservation and management;

Aware that not all such species are currently the object of an Agreement or, given the rate of decline in their populations, can reasonably be expected to become the object of an Agreement to assist with their conservation in a timely manner;

Noting the conclusions and recommendations of the seventh meeting of the Scientific Council (Geneva, 7-8 April 1997);

Recommends that the Parties undertake cooperative action to improve the conservation status of these species;

Instructs the Scientific Council to prepare for each meeting of the Conference of the Parties a list of such Appendix II species requiring special attention within the forthcoming triennium;

Directs the Secretariat to assist the Scientific Council in establishing this review process ensuring that a regular update of status is provided by the relevant Focal Point Councillor;

Recommends in particular that *Crex crex, Coturnix coturnix coturnix* and *Cygnus melanocorypha* be considered for the 1998-2000 triennium to be the object of this recommendation.

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DRAFT RESOLUTION 5.10

DATE, VENUE AND FUNDING OF THE 6TH MEETING OF THE CONFERENCE OF THE PARTIES

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,

Recalling Article VII, paragraph 3, of the Convention, which states that the Secretariat shall "convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise",

Noting that only the first and fifth meetings of the Conference of the Parties have been hosted by Parties since 1985,

Noting also that the Convention will enjoy its 20th anniversary in 1999,

Appreciating the benefits that may accrue to the Convention and to Parties, particularly those with developing economies, that host meetings of the Conference of the Parties in different regions of the world,

Recalling further the *Resolution on Assistance to Developing Countries* adopted in association with the Final Act of the conference to conclude the Convention (Bonn, 1979),

1. *Decides* that the sixth meeting of the Conference of the Parties should take place before the end of 1999;

2. *Invites* Parties to offer to host the meeting and to inform the Secretariat accordingly before the end of 1997;

3. *Invites* Parties, States not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to make voluntary contributions to the Trust Fund to enable the sixth meeting of the Conference of the Parties to be convened in a developing country; and

4. *Instructs* the Standing Committee:

a. to decide on the most suitable venue from the offers received;

b. to discuss with the Governments of South Africa and the Netherlands the possibility of organizing the sixth meeting of the Conference of the Parties to CMS in conjunction with the first meeting of the Parties to the African Eurasian Waterbird Agreement in South Africa;

c. should no suitable offers be received from Parties, to decide after consultations with the United Nations Environment Programme on the most appropriate alternative venue.

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DRAFT RECOMMENDATION 5.3
(submitted by Poland)

DEVELOPMENT OF AN ACTION PLAN FOR THE GREAT CORMORANT IN THE AFRICAN-EURASIAN REGION

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

Recalling that the 1994 meeting of the Conference of the Parties to the Bonn Convention (Nairobi) adopted a recommendation on the conservation of the Great Cormorant in the African-Eurasian region;

Noting that Denmark and the Netherlands declared that they were willing to take the initiative for the preparation of an action plan for the Great Cormorant;

Considering that the aim is to draw up such an action plan on the basis of the most recent scientific and other findings, incorporating measures to minimise the conflict between fisheries interests and cormorants populations, and at the same time maintaining a favourable status for the Great Cormorant as required under the Convention;

Considering the results of the international workshop of experts in Lelystad, Netherlands, on 3 and 4 October 1996, where

- a report with the most recent scientific information on the Great Cormorant was discussed,
- the continuing increase of the breeding population of the subspecies *Phalacrocorax carbo sinensis* in some areas and its expanding geographical range were stated and
- management options and their effectiveness were studied;

Considering that this problems should be examined and coordinated at the international level;

THE CONFERENCE OF THE CONTRACTING PARTIES

1. Recommends Denmark and the Netherlands to finalize their work on an action plan for the Great Cormorant, focussing initially on the subspecies *Phalacrocorax carbo sinensis*, before the end of 1997;

2. Proposes that the action plan shall include inter alia management guidelines to prevent and/or reduce serious damage caused by *Palacrocorax carbo sinensis* in the fisheries sector while maintaining a favourable conservation status of the species;

3. Invites Denmark and the Netherlands to take the necessary steps, involving all interested Range States, to bring together an international group of experts from the nature conservation and fisheries sectors, to complete the action plan mentioned in no. 6, taking into account the relevant national and international legislation, having regard to the activities of the EIFAC and the Wetlands International working groups;

4. Proposes that the completed action plan be communicated to the Scientific Council of CMS and be distributed to the range states;

5. Recommends that for the purpose of advising on the implementation of the action plan and to facilitate coordination at the international level, an advisory committee of experts will be established as a subgroup reporting to the Scientific Council of the Convention;

6. Recommends that the advisory committee shall include experts from the nature conservation and fisheries sectors. Every interested Range State shall be entiteled to be represented by two such persons;

7. Proposes that the advisory committee, based on the framework of the action plan, which may include a range of control techniques, shall advise on measures to prevent serious damage to fisheries;

8. Proposes that the costs of the national delegations will be borne by the Range States.

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DRAFT RESOLUTION 5.2

GUIDELINES FOR THE HARMONISATION OF FUTURE AGREEMENTS

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

The Fifth Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals

Recalling Resolution 4.3 (Nairobi, 1994) instructed the Standing Committee to submit a proposal to the fifth meeting of the Conference of the Parties regarding Guidelines for the Harmonisation of Future Agreements;

Welcoming the circulation of draft *Guidelines on the Harmonisation of Agreements concluded under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals (CMS)*, April 1997, submitted by the Secretariat

Recognising that these 'Guidelines' are a valuable compendium of agreement practices which will enable parties to make considered choices in framing future Agreements;

Acknowledging that treaty practice is subject to some variance between Parties, that some flexibility is desirable and that the range and type of possible agreements, the best and most achievable means of conservation and management under the framework of the CMS, and other circumstances may not render a single form of agreement optimal for all cases;

Recognising the non-binding legal nature of international guidelines and that these *Guidelines on the Harmonisation of Agreements concluded under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals* only described existing provisions, resolutions and existing Agreements;

Desiring to harmonise, as far as possible, the form of Agreements and to avoid unnecessary and unintended divergence in form and effect, with its consequent uncertainty;

Recognising that the 'Guidelines' need to be examined further by parties and progressively refined;

Noting the importance of the first summary of Parties' comments produced by the Secretariat;

Instructs the Secretariat:

a. to distribute copies of the 'Guidelines' together with this resolution to Parties for their further consideration;

b. to seek comments from the Parties on the 'Guidelines' and to produce a comprehensive summary of all comments for timely distribution to Parties seeking further views;

c. to produce an updated draft of the 'Guidelines', taking account of comments received from Parties for submission to the sixth meeting of the Conference of the Parties.